

MS PGPUB
PATENT
3782-0275P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Mats PETTERSSON et al. Conf.: 2079

Appl. No.: 10/687,874 Group: 2673

Filed: October 20, 2003 Examiner: Unknown

For: POSITION DETERMINATION II - CALCULATION

LETTER REQUESTING PRE-GRANT PUBLICATION

MS PGPUB Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

September 22, 2004

Sir:

Applicants hereby request pre-grant publication of the above referenced application pursuant to 37 CFR §1.211(a).

While a document identified with our application number was released by the pre-grant publication division, this document was not a publication of this Applicant. This was not a "pre-grant publication" under the definition provided in the Federal Code of Regulations.

Specifically, a patent application publication is based on "the application papers deposited on the filing date of the application ... and ... drawings in compliance with \$1.84" See 37 C.F.R. \$1.215(a).

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The released document contains a written description, drawings, and claims which belong to a completely different application. 1

Applicants therefore request the same referenced application be published as soon as possible in order to protect any provision rights afforded to Applicant under 35 U.S.C. §154(d).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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 $^{^{1}}$ Because the released document is not in any way based upon the application, Applicants submit the application was never actually published. Therefore, the procedures under 37 C.F.R. \$1.221 for republication and correction of a published application are not applicable here.